

JUDGE CASTEL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORIGINAL

UNITED STATES OF AMERICA

- v. -

GABRIEL AGUIRRE CUERO,
HUBERT ANGULO CUERO, and
NESTOR MURILLO BOCANEGRA,

Defendants.

INDICTMENT

15 Cr
15 CRIM 125

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED MAR 03 2015

COUNT ONE

The Grand Jury charges:

1. From at least in or about January 2015, up to and including in or about February 2015, in Colombia, the high seas, and elsewhere, and in an offense begun and committed upon the high seas outside of the jurisdiction of any particular State or district of the United States, GABRIEL AGUIRRE CUERO, HUBERT ANGULO CUERO, and NESTOR MURILLO BOCANEGRA, the defendants, who will be first brought to and enter the United States in the Southern District of New York, and others known and unknown, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the maritime drug enforcement laws of the United States.

2. It was a part and an object of the conspiracy that GABRIEL AGUIRRE CUERO, HUBERT ANGULO CUERO, and NESTOR MURILLO BOCANEGRA, the defendants, and others known and unknown,

would and did manufacture and distribute, and possess with intent to manufacture and distribute, a controlled substance on board a vessel subject to the jurisdiction of the United States, in violation of Title 46, United States Code, Section 70503(a)(1).

3. The controlled substance that GABRIEL AGUIRRE CUERO, HUBERT ANGULO CUERO, and NESTOR MURILLO BOCANEGRA, the defendants, conspired to manufacture and distribute, and possess with intent to manufacture and distribute, on board a vessel subject to the jurisdiction of the United States, was five kilograms and more of mixtures and substances containing a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers, in violation of Title 46, United States Code, Section 70506(a).

(Title 46, United States Code, Sections 70506(b) & 70504(b)(1); Title 18, United States Code, Section 3238.)

COUNT TWO

The Grand Jury further charges:

4. From on or about February 18, 2015, up to and including on or about February 19, 2015, in Colombia, the high seas, and elsewhere, and in an offense begun and committed upon the high seas outside of the jurisdiction of any particular State or district of the United States, GABRIEL AGUIRRE CUERO, HUBERT ANGULO CUERO, and NESTOR MURILLO BOCANEGRA, the defendants, who will be first brought to and enter the United

States in the Southern District of New York, manufactured and distributed, and possessed with intent to manufacture and distribute, while aboard a vessel subject to the jurisdiction of the United States, five kilograms and more of mixtures and substances containing a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers.

(Title 46, United States Code, Sections
70503(a)(1), 70504(b)(1), 70506(a);
Title 18, United States Code, Sections 3238 & 2.)

FORFEITURE ALLEGATION

5. As a result of committing the controlled substance offenses charged in Counts One and Two of this Indictment, GABRIEL AGUIRRE CUERO, HUBERT ANGULO CUERO, and NESTOR MURILLO BOCANEGRA, the defendants, shall forfeit to the United States, pursuant to Title 46, United States Code, Section 70507(a), any and all property used or intended for use to commit, or to facilitate the commission of, the offenses charged in Counts One and Two of this Indictment.

Substitute Assets Provision

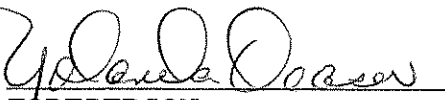
6. If any of the above-described forfeitable property, as a result of any act or omission of GABRIEL AGUIRRE CUERO, HUBERT ANGULO CUERO, and NESTOR MURILLO BOCANEGRA, the defendants:

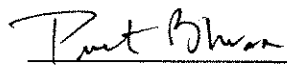
- a. cannot be located upon the exercise of due diligence;

- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty,

it is the intent of the United States, pursuant to Title 21, United States Code, Sections 853(p) and 970, to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 46, United States Code, Section 70507(a);
Title 21, United States Code, Sections 853, 881, 970.)


FOREPERSON


PREET BHARARA
United States Attorney

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15 Cr.

(46 U.S.C. §§ 70503, 70504, 70506; and
18 U.S.C. §§ 2 & 3238.)

PREET BHARARA

United States Attorney.

A TRUE BILL

Yolanda Deason Foreperson.

3/3/15
ac.

- Filed Indictment.

A/W issued

Case assigned to Judge Castell
Judge Beck
NMD